

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

JOHN T. LAMONT and	§
PRESTON POULTER,	§
	§
Plaintiffs,	§ Civil Action No. 3:21-CV-1176-K
	§
v.	§ Judge Kinkeade
	§
DEAN ASSAF A/K/A DA TALKS,	§
VICTORIA KUNDERT	§
A/K/A VIKKIVERSE.	§
Defendants.	§

DECLARATION OF VICTORIA KUNDERT

I, Victoria c. Kundert, declare the following exhibits are true and correct copies.

1. **Exhibit 1** is a true and correct screenshot of the livestream broadcast April 16, 2020 on the YouTube channel Pocket Jacks Comics entitled “Refining the #Comicsgate Cringe with Vikkiverse” taken at the 1 hour 8 minute mark.
2. **Exhibit 2** is a true and correct screenshot of a video uploaded on May 3, 2020 to the YouTube channel Pocket Jacks Comics entitled “That Umbrella Guy Needs Your Support: [#istandwithvikki](#)”
3. **Exhibit 3** is a true and correct copy of an email received by Defendant Kundert on August 8, 2020 confirming the backing of Plaintiff Poulter’s Kickstarter Campaign “Make 100: Guinevere and the Divinity Factory #3 Adult Cover”3.
4. **Exhibit 4** is a true and correct copy of a Declaration by Defendant Kundert’s Landlord, Giles

Tomkin.

5. **Exhibit 5** is a true and correct copy of a post from Plaintiff Poulter, using his “pocketjackscomics” Discord account name, in his public Discord Server, Figures of Legends.

4. **Exhibit 6** is a true and correct copy of a Declaration by Defendant Kundert’s supervisor and housemate Tanamera Barber.

5. **Exhibit 7** is a thrue and correct copy of the photograph taken by Defendant Victoria Kundert on October 14, 2021 at 12:09:31pm.

6. **Exhibit 8** is a true and correct copy of the metadata of the photograph taken by Defendant Victoria Kundert on October 14, 2021.

6. **Exhibit 9** is a true and correct copy of the Facebook post published by Defendant Victoria Kundert on October 14, 2021.

5. **Exhibit 10** is a true and correct copy of the photograph taken by Defendant Victoria Kundert on October 15, 2021 at 12:21:37pm.

6. **Exhibit 11** is a true and correct copy of the metadata of the photograph taken by Defendant Victoria Kundert on October 15, 2021

6. **Exhibit 12** is a true and correct copy of the Facebook post published by Defendant Victoria Kundert on October 15, 2021.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 9th Day of February, 2023 at Wallace, NC USA.

/s/ Victoria C. Kundert

Victoria C. Kundert

EXHIBIT 1 - Screenshot of Pocket Jacks Comics Livestream.

YouTube Channel, Pocket Jacks Comics, 1 hr. 12. min livestream entitled, ““Refining the #Comicsgate Cringe with Vikkiverse”. (Screen shot below taken at 1 hour 8 minutes.), originally streamed April 16, 2020. <<https://www.youtube.com/wa=bo3qssrd57A>>

YouTube Search

Preston Poulter, Pocket Jacks Comics

Vikki

1:08:03 / 1:12:42

REFINING THE #COMICSGATE CRINGE WITH VIKKIVERSE

1,329 views • Streamed live on Apr 16, 2020

111 LIKES DISLIKE SHARE SAVE ...

Pocket Jacks Comics 1.21K subscribers SUBSCRIBE

We've drilled down into CG drama and have tapped into a gusher that is flying out with such velocity that we're trying to cap the well before we can have the drama refined and processed for consumption.

You can see Vikki's interview with Ethan Van Sciver here:
<https://www.youtube.com/watch?v=yIuY...>

You can purchase my exclusive covers of Guinevere and the Divinity Factory #2 or White Widow on Indiegogo:
<https://www.indiegogo.com/projects/wh...>

I encourage you to sign up for my Kickstarter for White Lily #5:
<https://www.kickstarter.com/projects/...>

If you want to watch past Writer's Groups, here is the playlist:
<https://www.youtube.com/playlist?list...>

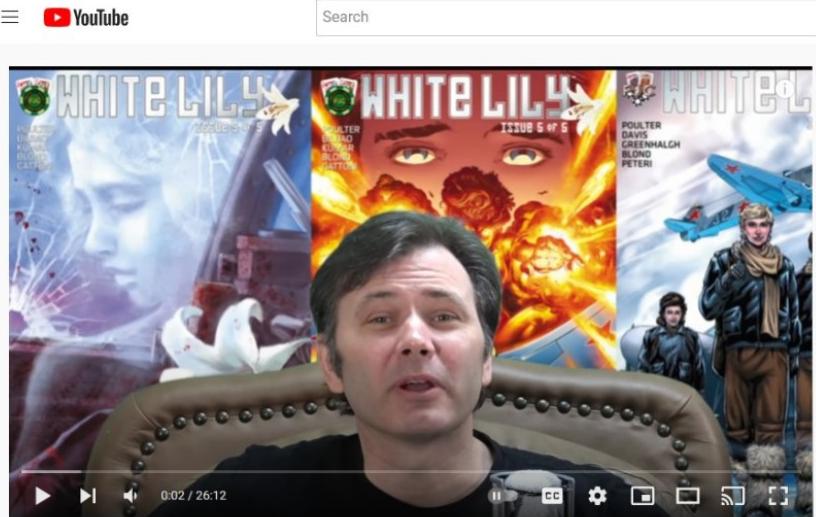
SHOW LESS

EXHIBIT 2 – Screenshot of Pocket Jacks Comics Video

YouTube Channel, Pocket Jacks Comics, 12 minute video entitled “That Umbrella Guy Needs Your Support: [#istandwithvikki](#)”, uploaded to YouTube on May 3, 2020,

<https://www.youtube.com/watch?v=7zjjERI8l0o>, containing the description:

“That Umbrella Guy (TUG) recently revealed that he had the doxx on a critic of Ethan Van Sciver, Vikkiverse. Soon thereafter, Vikki's doxx was put forward in a Twitter account.”



The screenshot shows a YouTube video player. The video frame displays a man with dark hair and a beard, wearing a black t-shirt, sitting in a brown leather armchair. Behind him are three comic book covers for "WHITE LILY". The left cover features a woman's face and the text "ISSUE 4 OF 5". The middle cover features a woman's face and the text "ISSUE 5 OF 5". The right cover features a man in a flight suit and the text "POULTER DAVIS GREENHALGH BLOND PETERI". Below the video frame are standard YouTube controls: play, volume, and a progress bar showing 0:02 / 26:12. Above the video frame is a search bar and the YouTube logo.

That Umbrella Guy Needs Your Support: [#istandwithvikki](#)

2,134 views • May 3, 2020

144 DISLIKE SHARE SAVE ...

Pocket Jacks Comics 1.21K subscribers

SUBSCRIBE

That Umbrella Guy (TUG) recently revealed that he had the doxx on a critic of Ethan Van Sciver, Vikkiverse. Soon thereafter, Vikki's doxx was put forward in a Twitter account.

In addition, a new Twitter account has surfaced attacking the suicide of Krissy's mother again. Who could be behind this?

Well, on that, Ethan Van Sciver and I agree. It was TUG. He is getting ready to launch his sequel to The Case of the Littlest Umbrella, Part 2. Going from the Ethan-CG playbook, that means he has to do something provocative and monetize the outrage.

As such, here is a deep dive on the grifter who goes by the name, That Umbrella Guy.

Here is a link to Guinevere and the Divinity Factory and White Widow on Indiegogo:
<https://www.indiegogo.com/projects/wh...>

Here is the link for my upcoming campaign for White Lily #5:
<https://www.kickstarter.com/projects/...>

SHOW LESS

EXHIBIT 3 – Email Confirmation of Backing KickStarter Campaign

Email received on August 8, 2020 by Defendant Kundert confirming backing of Plaintiff Poulter's Kickstater crowdfunding campaign for Campaign "Make 100: Guinevere and the Divinity Factory #3 Adult Cover" containing a mailing address in Wallace, North Carolina.

4/4/22, 10:38 AM

Gmail - Survey Confirmation -- Make 100: Guinevere and the Divinity Factory #3 Adult Cover



VikkiVerse <vikkiverse@gmail.com>

Survey Confirmation -- Make 100: Guinevere and the Divinity Factory #3 Adult Cover

1 message

Preston Poulter <no-reply@s.backerkit.com>
To: vikkiverse@gmail.com

Sat, Aug 8, 2020 at 12:19 PM



Make 100: Guinevere and the Divinity Factory #3 Adult Cover

Created by Preston Poulter

Hi, Victoria Kundert!

Thank you for updating your pledge!

This email is your receipt.

[Learn how you can help!](#)

[Join the Community!](#)

Have questions? [Contact Us »](#)

Shipping Information

Victoria Kundert
120 East Main Street
c/o Cuts 4 Muttz
Wallace, NC 28466
United States of America
9102827111

[Update Your Address](#)

Balance

\$30.00 Pledge Level	\$30.00
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Shipping Total	\$0.00
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<https://mail.google.com/mail/u/0/?ik=3ef9797336&view=pt&search=all&permthid=thread-f%3A1674474790809118584&simpl=msg-f%3A16744747908...> 1/3

4/4/22, 10:38 AM	Gmail - Survey Confirmation ~ Make 100: Guinevere and the Divinity Factory #3 Adult Cover
Pledge Level	\$0.00
Pledged on Kickstarter	(\$30.00)
Credit Remaining	\$0.00

Pledge Summary

\$30 REWARD
Guinevere #3 Miss Sashi Adult Cover - FREE DOMESTIC SHIPPING The early release of issue 3. You get it before anyone else. Only 100 copies will be issues of the adult cover version of Miss Sashi's variant cover for Guinevere #3. In addition, you will get your name added to the Thank You page in the back of Guinevere and the Divinity Factory #3, main cover print edition. Note: If you want to add-on the other covers to your purchase, they are a flat \$25 each. Increase your base pledge by that amount for each of the other covers you want.

Pledge Questions

Your pledge includes a cover of the Miss Sashi, Make 100 Adult Cover of Guinevere and the Divinity Factory #3. Would you like that unmarked, autographed, or autographed and graded by CBCS.
Autographed

Your reward includes having your name on the Thank You page on the inside back cover. How would you like your name to appear?
I would like to appear on the Thank You page under the following name
Victoria Kundert

Thank you for your business. Your items have been added to your cart. On the next screen, you will be able to purchase additional products such as prints and back issues. Would you like the email address you used to be added to the Pocket Jacks newsletter so that you don't miss out on future crowd fund projects?
Got it. I don't wish to subscribe to the newsletter. Take to me see the add-ons.

[Update Your Answers](#)

What Happens Next?

1. **Orders Locked**
Your order will be locked when the project is ready for manufacturing.
2. **Shipping Addresses Locked**
Your shipping address will be locked when the project is ready for fulfillment.
3. **Tracking Information**
You will be notified if a tracking number is available for your order.

[Review on BackerKit](#)

Use this link to return to your survey any time:

<https://mail.google.com/mail/u/0/?ik=3ef9797336&view=pt&search=all&permthid=thread-f%3A1674474790809118584&simpl=msg-f%3A16744747908...> 2/3

4/4/22, 10:38 AM Gmail - Survey Confirmation -- Make 100: Guinevere and the Divinity Factory #3 Adult Cover

https://guinevere3.backerkit.com/invites/oEKTkX_cjGFukPcCWI_og/confirm?email=dmira2lZZXJzZUBnbWFpbC5jb20%3D&redirect_path=%2Fbacker%2Freview&utm_medium=email&utm_source=order_confirmation

Feedback

The BackerKit team would love to hear from you!

Want to give feedback about your experience in crowdfunding to help make it better? Here's your chance:

[Take a 1-minute survey to help create a better experience for you »](#)

*NOTE: This survey is unrelated to the responses provided in your pledge survey. BackerKit isn't a representative of Kickstarter/Indiegogo/creator of this project. This survey is for research purposes only and in no way affects the delivery or submission of your pledge to any projects supported in BackerKit.

Check out our favorite live crowdfunding projects this week:
[Discover Projects: BackerKit Staff Favorites](#)

Have questions? [Contact Us »](#)

This project is using BackerKit surveys and pledge management software to stay organized and on schedule.

[BackerKit FAQs](#) | [Privacy Policy](#) | [Contact Us](#) | [Unsubscribe](#)

<https://mail.google.com/mail/u/0/?ik=3ef9797336&view=ptl&search=all&permthid=thread-f%3A1674474790809118584&simpl=msg-f%3A16744747908...> 3/3

EXHIBIT 4 - Declaration by Defendant Kundert's Landlord, Giles.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JOHN T. LAMONT and	§
PRESTON POULTER,	§
	§
Plaintiffs,	§ Civil Action No. 3:21-CV-1176-K
	§
v.	§ Judge Kinkeade
	§
DEAN ASSAF A/K/A DA TALKS,	§
VICTORIA KUNDERT	§
A/K/A VIKKIVERSE.	§
Defendants.	§

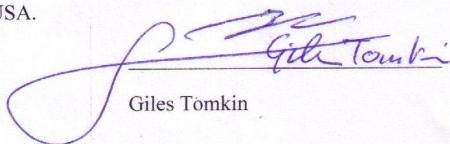
DECLARATION OF GILES TOMKIN

Giles Tomkin, pursuant to 28 U.S.C. § 1746, hereby declares as follows:

1. I am over 18 years of age, of sound mind, and otherwise competent to make this Declaration. The facts set out in herein are based on my personal knowledge.
2. I am a resident of Duplin County, North Carolina and reside at 215 Southeast Railroad Street Wallace, North Carolina.
3. I am secretary of a 501(c)(3) registered charitable organization named The Sanctuary Project EIN:43-1968020 whose purpose is to assist individuals in need.
4. Victoria Kundert has been and is a resident at the property of The Sanctuary Project in Duplin County, North Carolina located at 101 East Main Street, Wallace, North Carolina since January 9, 2019 until present.

I declare under perjury that the forgoing is true and correct.

Executed on April 5, 2022 in Wallace, NC, USA.



Giles Tomkin

EXHIBIT 5 - Post from Plaintiff Poulter, using his “pocketjackscomics” Discord account name, in his public Discord Server, Figures of Legends.

<<https://discord.com/channels/737499295086805004/738471081857515623/900422124324409374>>

Figures of Legend # cg-drama

comic-artwork
music
prestons-promotion
roleplaying-games
shop

INTERN SPERG CATEGORIES
happy-memes
cg-drama
chauvanist-goldpill-ph...

VOICE CHANNELS

Stupendus 10/20/2021 12:35 PM
i know Cheyenne.... its all like high school.. if you talk to someone you get labled

Stupendus 10/20/2021 12:36 PM
Attention @everyone
I have an update regarding Victoria Kundert
10/14/2021 7:20 PM Personal service obtained on the defendant. She did not want to accept the documents after opening the door and was informed that she has no choice. Service was then announced and the documents were left at the door.
10/20/2021 8:19 AM Original proof of service mailed. A copy is attached to this message.

2 2 3 3 2

EXHIBIT 6 – Declaration of Tanamera Barber

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

JOHN T. LAMONT and PRESTON POULTER,	§
	§
	§
Plaintiffs,	§ Civil Action No. 3:21-CV-1176-K
	§
v.	§ Judge Kinkeade
	§
DEAN ASSAF A/K/A DA TALKS, VICTORIA KUNDERT A/K/A VIKKIVERSE.	§
	§
Defendants.	§

DECLARATION OF TANAMERA BARBER

I, Tanamera Barber, pursuant to 28 U.S.C. § 1746, hereby declares as follows:

1. I am over 18 years of age, of sound mind, and otherwise competent to make this Declaration. The facts set out in herein are based on my personal knowledge.
2. I am the on-site Manager of The Sanctuary Project Thrift Store located at 101 East Main Street in Wallace, North Carolina, where Victoria Kundert is a full-time volunteer and is The Sanctuary Project's social media manager and has sole control of all postings on The Sanctuary Project Facebook page.
3. I reside at 101 East Main Street in Wallace, North Carolina, upstairs from The Sanctuary Project Thrift Store, along with Ms. Kundert.
4. On October 14, 2021, Ms. Kundert was at The Sanctuary Project Thrift Store from 12 noon when the store opened, until 6pm, when the store closed. Sometime after the store opened, Ms. Kundert published a photograph of the store to The Sanctuary Project Facebook page.
5. Ms. Kundert was home at 101 East Main Street, Wallace, North Carolina for the entire night of October 14, 2021.

6. 4. On October 15, 2021, Ms. Kundert was at The Sanctuary Project Thrift Store from 12 noon when the store opened, until 6pm, when the store closed. Sometime after the store opened, Ms. Kundert published a photograph of the store to The Sanctuary Project Facebook page.

I declare under perjury that the forgoing is true and correct.

Executed on February 8, 2023 in Wallace, North Carolina, USA.



Tanamera Barber

EXHIBIT 7 – Photograph taken by Defendant Victoria Kundert on October 14, 2021 at 12:09:31pm. <filename 20211014_120932.jpg>



EXHIBIT 8 - Metadata of the photograph, filename 20211014_120932.jpg, taken by Defendant Victoria Kundert on October 14, 2021.

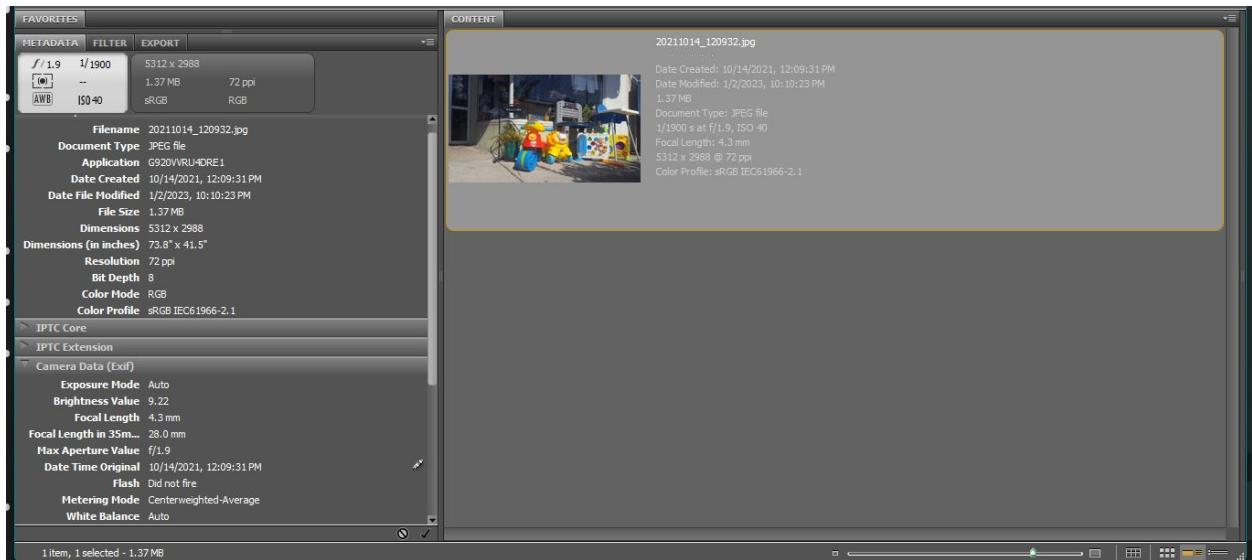


EXHIBIT 9 – Facebook post published by Defendant Victoria Kundert on October 14, 2021.

Search Facebook

Manage Page

The Sanctuary Project

Promote

Home

Professional Tools

Professional dashboard

Insights

Ad Center

Create ads

Create Automated Ads

Boost Post

Boost Instagram Post

Intro

We are a 501c3 non-profit thrift shop serving Wallace, NC and the surrounding area

Edit bio

Page · Thrift & Consignment Store

101 East Main Street Wallace NC 28466

+1 910-619-7522

SanctuaryProjectWallace@yahoo.com

tspweb.us

Promote Website

paypal.com/donate/?hosted_button_id=8MVNK5TLX73BW

Promote Website

The Sanctuary Project

Published by Tsp Wallace · October 14, 2021 · 7

It's a Beautiful Thursday!

While you're out and about enjoying this fabulous day, stop in! The Kid's Clothes Bag Sale is still happening. Stuff a \$5 or \$12 bag full of clothes and shoes!

WELCOME

See insights and ads

Boost post

EXHIBIT 10 – Photograph taken by Defendant Victoria Kundert on October 15, 2021 at 12:21:37pm. <filename 20211015_123127.jpg>



EXHIBIT 11 - Metadata of the photograph, filename 20211015_123127.jpg, taken by Defendant Victoria Kundert on October 14, 2021.

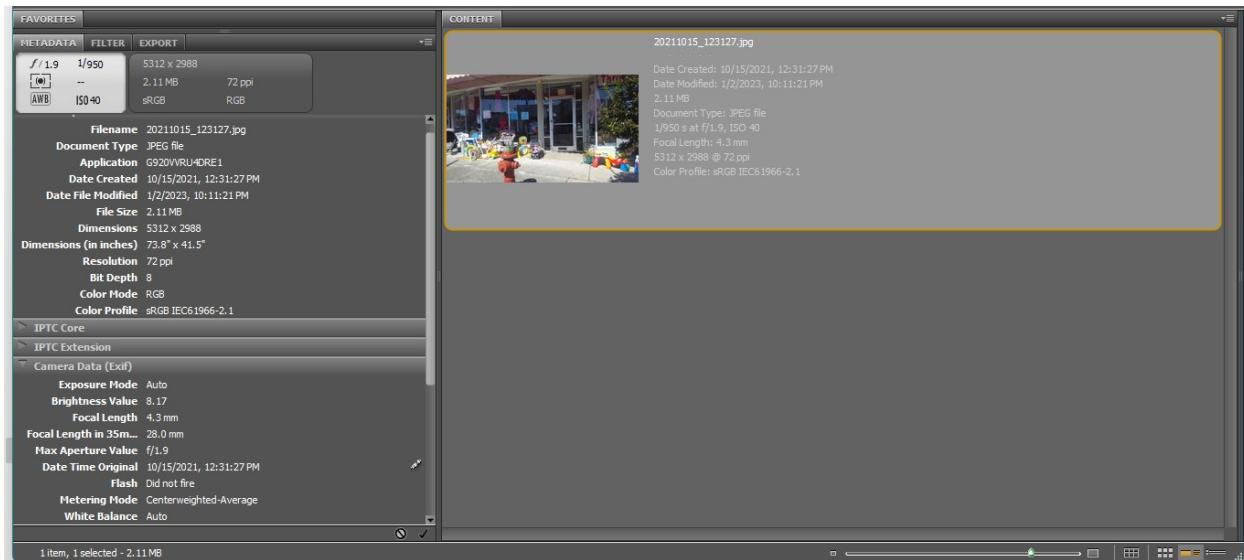


EXHIBIT 12 – Facebook post published by Defendant Victoria Kundert on October 15, 2021.

The screenshot shows a Facebook page interface. On the left, there's a sidebar titled "Manage Page" with various tools like "Promote", "Home", "Professional Tools", "Insights", "Ad Center", "Create ads", "Create Automated Ads", "Boost Post", and "Boost Instagram Post". The main content area is for the page "The Sanctuary Project". It has a header with a profile picture, the page name, and a "Edit" button. Below the header is a section titled "Intro" with the bio: "We are a 501c3 non-profit thrift shop serving Wallace, NC and the surrounding area". There are "Edit bio" and "Promote Website" buttons. To the right of the intro is a post from "The Sanctuary Project" (published by Tsp Wallace on October 15, 2021). The post says "It's a Fab Friday! Halloween is around the corner and we have kid's costumes for \$3-\$6 dollars!" and includes a photo of a storefront with a red fire hydrant in front. There are "See insights and ads" and "Boost post" buttons at the bottom of the post.